

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

SERGIO MARTINEZ-CORONA,

Plaintiff,

v.

**HOOD COUNTY DISTRICT
ATTORNEY'S OFFICE et al.,**

Defendants.

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Civil Action No. 4:18-cv-00132-O-BP

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

The United States Magistrate Judge made findings, conclusions, and a recommendation in this case (ECF No. 11). No objections were filed, and the Magistrate Judge's recommendation is ripe for review. The District Judge reviewed the proposed findings, conclusions, and recommendation for plain error. Finding none, the undersigned District Judge is of the opinion that the Findings and Conclusions of the Magistrate Judge are correct and they are accepted as the Findings and Conclusions of the Court.

Accordingly, the Court **DISMISSES with prejudice** Plaintiff's civil rights complaint as frivolous and for failure to state a claim upon which relief may be granted under 28 U.S.C. §§ 1915A(b)(1) and 1915(e)(2)(B)(i) and (ii). Moreover, to the extent Plaintiff's claims are barred by *Heck v. Humphrey*, 512 U.S. 477 (1994), those claims also should be **DISMISSED with prejudice**, but Corona should be permitted to reassert those claims when the conditions under *Heck* are met. *Johnson v. McElveen*, 101 F.3d 423, 424 (5th Cir. 1996) (per curiam).

SO ORDERED on this **20th** day of **February, 2019**.


Reed O'Connor
UNITED STATES DISTRICT JUDGE